

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES

-v-

LEONIDES SIERRA et al.,

Defendants.

S5 11 Cr. 1032 (PAE)

ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/7/14

PAUL A. ENGELMAYER, District Judge:

Consistent with counsel's joint proposal that jury selection for the trial scheduled to begin on September 15, 2014 be facilitated by the use of a questionnaire directed at claims of undue hardship, jury selection for the trial scheduled to begin on September 15, 2014 will proceed as follows:

1. Prospective jurors will be called for September 10, 2014. Under the supervision of the Jury Department, those who appear will fill out the attached questionnaire.¹ Counsel need not be present.

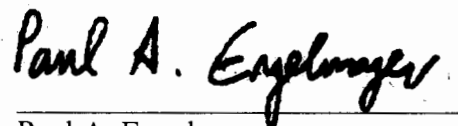
2. Completed questionnaires of those prospective jurors who answer "Yes" to any question on the form will be made available to counsel as promptly as possible. Not later than 8:00 a.m. on September 12, 2014, counsel shall provide the Jury Department with a list, in juror number order, of the names and juror numbers of prospective jurors whom all counsel agree should be excused on grounds of hardship. Those prospective jurors will be excused without

¹ The Court recognizes that counsel may have constructive edits to propose to the questionnaire, e.g., with respect to the identification of dates when trial will not be held. Any changes to the questionnaire should be proposed, by letter to the Court, due by close of business on Tuesday, August 12, 2014.

further action of the Court. (To assure orderly transmission of this list to the Jury Department, the Court tasks the Government with responsibility for transmitting this list; and directs defense counsel and counsel for the Government to share with one another, by 10:00 p.m. on September 11, 2014, their lists of jurors to whose excusal they assent.)

3. The Jury Department will divide all those prospective jurors who remain after the excusal for hardship referred to in paragraph 2 into panels. The first panel will consist of approximately 75 prospective jurors; the remaining panels will consist of approximately 50 prospective jurors. Panels will be called for 9:30 a.m. and 2 p.m. each day starting September 15, 2014. Hardship claims not previously resolved will be disposed of during the *voir dire* of each panel. The Jury Department shall provide the Court's deputy with the questionnaires of those prospective jurors on each panel who responded that service would be a hardship but had not previously been excused.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

Paul A. Engelmayer
United States District Judge

Dated: August 7, 2014
New York, New York

Juror Questionnaire

Name _____

Juror Number _____

Background Information

This questionnaire is being used to assist in selecting a jury for what is expected to be a long trial.

The trial is expected to last 3 and perhaps 4 or more months.

In general, the trial will be held Monday through Thursday, 9:30 a.m. until 5:00 p.m.

Court will not be held during the following breaks and holidays:

September 25, 2014 (Rosh Hashanah)	November 27, 2014 (Thanksgiving)
October 13, 2014 (Columbus Day)	December 22, 2014 – January 4, 2015
November 11, 2014 (Veterans Day)	January 19, 2015 (Martin Luther King Day)

Questions

Please answer each part of the following questions Yes or No and provide the additional requested information for all parts to which you answer Yes.

Would serving on this jury cause undue hardship or extreme inconvenience because:

- 1. You would have to travel a great distance to the courthouse? If so, how many miles would you have to travel?**

Yes _____

Number of Miles _____

No _____

- 2. Your travel time to and from the courthouse would be excessive? If so, how many minutes are required (one-way)?**

Yes _____

Number of Minutes _____

No _____

3. There is grave illness in the family or another emergency?

Yes _____ **Explain** _____

No _____

4. Service would cause you undue hardship or extreme inconvenience?

Yes _____ **Explain** _____

No _____

5. Service would cause severe economic hardship to you or your employer?

Yes _____ **Explain** _____

No _____

Thank You